



CWP-10785-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(105)

CWP-10785-2024

Date of decision:- 03.11.2025

Ex. Havildar Bikram Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Navdeep Singh, Senior Advocate, with
Ms. Roopan Atwal, Advocate, and Ms. Srishti Sharma, Advocate
for the petitioner.

Mr. Ravish Kaushik, Additional Advocate General, Haryana.

...

SUVIR SEHGAL, J. (Oral)

1. This petition has been filed *inter alia* for issuance of a writ in the nature of mandamus directing the respondents to release the revised amount of annuity in accordance with policy dated 28.05.2014, Annexure P-2.

2. Mr. Navdeep Singh, learned senior counsel for the petitioner, states that petitioner is a gallantry awardee and was serving in the Assam Rifles. He was awarded the Sena Medal/Army Medal, on 15.08.1998, for act of courage shown during an attack on a terrorist hideout in Manipur. Government of Haryana circulated a policy on 30.07.1991, Annexure P-1, for grant of cash award and annuity in lieu of allotment of land to winners of gallantry award, and by instructions, Annexure P-2, rates of annuity were revised to Rs.50,000/-,

With effect from 19.02.2014. Counsel asserts that the award was not initially



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paid to the petitioner and after protracted correspondence, vide letter dated 07.02.2024, Annexure P-11, petitioner was released an amount of Rs.73,000/-, which included cash award of Rs.3000/-, monetary grant in lieu of land Rs.20,000/- and Rs.50,000/-, as annuity. Learned senior counsel states that petitioner does not have any grievance in so far as release of cash award and monetary grant is concerned, but claims that petitioner is entitled to annuity, with effect from 15.08.1998, at rates revised by the Government from time to time.

3. Petition has been contested by the respondents by filing a reply wherein factual averments have been admitted. It has, however, been stated that instructions Annexure P-1, were clarified vide Memo dated 19.07.2007, Annexure R-2, which stipulates that no arrears of annuity will be paid. It has been stated that the petitioner delayed the supply of the Domicile Certificate, which impeded in grant of the financial benefit to him.

4. I have heard counsel for the parties and given a thoughtful consideration to the arguments addressed by them, besides examining the documents on the record.

5. Petitioner has been awarded an Army Medal and fulfills all the conditions of the policy, Annexure P-1, for the grant of cash award annuity, etc. Petitioner was found eligible and by letter dated 07.02.2024, Annexure P-11, sanction was accorded for release of Rs.73,000/- to him. In accordance with policy, Annexure P-1, petitioner was to be released an annuity of Rs.3000/-, from the date he received the gallantry award. The annuity amount has been



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with effect from 19.02.2014, vide instructions, Annexure P-2. Policy, Annexure P-1, has been modified by the Government of Haryana, vide instructions dated 19.07.2007, Annexure R-2, whereby some conditions have been laid for the grant of cash award and annuity, which read as under:-

“(1) The awardee must apply for sanction of the awards within three years of the gazette notification of the award/medal, there after it will be time barred.

(2) The awardee must be a permanent at domicile of Haryana State at the time of joining service and continue to be the permanent domicile of Haryana State at the time of award and continue to be domicile of Harvana till the date of sanctioning of the award. Annuity shall be discontinued in respect of such awardees who are no more domicile of Haryana on the date of payment of the annuity yearly.

(3) In the case of posthumous awardees, only following next of kin shall be eligible to receive the said awards:-

a. 50% of the award amount to the parents of the married medal winner in equal shares.

b. 50% of the award amount only to the spouse of the married medal winner, if she does not remarry.

c. Full amount to the parents in equal share if the medal winner dies unmarried.

d. Full amount to the spouse of the married medal winner if parents of the medal winner are not alive, further provided that spouse does not remarry.

(4) No arrears of annuity will be paid.”

6. An examination of the above reproduced conditions shows that the last condition provides that no arrears of annuity are to be paid. The reference in this clause is to the arrears of the enhanced amount. The implication is that the awardees are not to be paid any arrears of the enhanced annuity and the increased amount of annuity is to be paid from the date it has been raised. Respondents have mis-interpreted this condition by declining the benefit of the annuity to the petitioner from the day he became entitled to it, i.e., with effect



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the date of entitlement is not justified and is rejected.

7. In view of above discussion, respondents are directed to release annuity to the petitioner at the applicable rates, with effect from 15.08.1998 to 07.02.2024, along with interest at the rate of 6% per annum, from the day annuity/revised annuity became due. Disbursal be made within a period of four months from the date of communication of a copy of this order.

8. Respondents are also fastened with cost of Rs.25,000/- to be paid to the petitioner for unnecessarily harassing and impelling him to approach this Court.

9. With the above direction, writ petition is disposed of.

(SUVIR SEHGAL)
JUDGE

03.11.2025
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes